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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,356	12/15/2000	Hanchang Kuo	SNY-P4032	2332

24337 7590 09/24/2004
MILLER PATENT SERVICES
2500 DOCKERY LANE
RALEIGH, NC 27606

EXAMINER

SALCE, JASON P

ART UNIT PAPER NUMBER

2611

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,356

Applicant(s)

KUO, HANCHANG

Examiner

Jason P Salce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 640. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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2. Claims 1-5, 9-14 and 19 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Wu et al. (U.S. Patent No. 6,326,982).

Referring to claim 1, Wu discloses receiving a request for the startup page (see Column 10, Lines 1-5 for sending user ID, time and channel parameters in order to retrieve a startup web page (see Column 2, Lines 20-22)) from a set-top box associated with a user (see Column 5, Lines 63-65 for the client device being a set-top box associated with a user (see Column 4, Lines 40-43)).

Wu also discloses finding a user profile corresponding to the user in a user database (see Column 10, Lines 22-25 for accessing various types of user profiles for determining a matching web page). The examiner notes that profile 144 in Figure 5 contains both a user ID and user interests, therefore profile 144 corresponds to a user in a user database (see Column 6, Lines 66-67 for storing the profile 144 at the server). Although Wu does not specifically state that a database is used, the examiner notes that a database is simply, "an organized body of related information", therefore since profile 144 contains a user ID with a related user interest field to match, profile 144 is a database.

Wu also discloses generating a link to content based upon the user profile (see Column 10, Lines 38-49 for determining a link to content based on the matching of parameters in the user profiles 144 and 160 (note profile 144 is used to identify the appropriate user in the database)).

Wu also discloses generating the startup page comprising at least the link to the content (see Column 9, Lines 49-57 for displaying both the video and matching web

page on a display screen). The examiner notes that since the web page displayed along with the television program corresponds to the actual television content, then the web page itself is a "link to content" (see Column 8, Lines 10-13 for the matching web pages corresponding to segments of the video data).

Referring to claims 2-3, Wu discloses that the content comprises a web site and a television program source (see Column 9, Lines 49-57 for the web page (link to a web site (see Column 9, Lines 37-40) corresponding to video data carried by the currently selected channel). Also note claim 1 of Wu, which states, "determining a matching Web address associated with said particular portion of video data".

Referring to claim 4, Wu discloses that a user profile comprises location information (see Figure 3 for a user profile 110 comprising shipping address information 118 and also Figure 7 for a user profile 160 comprising layout information 164). Both types of information define location information.

Referring to claim 5, Wu discloses that the user profile comprises programming preferences of the user (see specific user interest profile 148 in user profile 160 of Figure 7).

Referring to claim 9, Wu discloses that the request for the startup page from a set-top box is received from a web browser program residing on the set-top box (see Column 5, Lines 5-7 and Lines 57-59).

Referring to claim 10, Wu discloses that the startup page comprises an HTML document populated with at least the link to content (see Column 4, Lines 32-34 and Column 9, Lines 37-40).

Referring to claim 11, Wu discloses means for receiving an HTTP request from the set-top box (see Column 10, Lines 1-5 for sending user ID, time and channel parameters in order to retrieve a startup web page (see Column 2, Lines 20-22)).

Wu also discloses a user database storing a user profile (see Figure 7 and Column 7, Lines 22-24 for storing a user profile 160).

Wu also discloses a Hub generating program that receives the HTTP request and generates a query of the user database to retrieve the user profile from the user database (see Column 10, Lines 22-25 for accessing various types of user profiles for determining a matching web page). The examiner notes that profile 144 in Figure 5 contains both a user ID and user interests, therefore profile 144 corresponds to a user in a user database (see Column 6, Lines 66-67 for storing the profile 144 at the server). The examiner also notes at Column 3, Lines 7-10 discloses that the server can execute the process of determining the matching Web address; therefore the hub-generating program would inherently reside at the server 34 in Figure 1 executed by a processor in order for the process to be executed.

Wu also discloses that the Hub generating program generates a query of a site database for information associated with the user profile (see Column 10, Lines 38-50 for providing a user ID to the server and comparing the user ID with a stored user ID in profile 144, which is then compared to another profile 160 in order to determine the matching web page). The examiner notes that the user database provides user information stored in profile 144 and the site database provides site information stored

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in profile 160 (see Figures 5 and Column 6, Lines 66-67 and Column 7, Lines 1-4 for the user database and Figure 7 and Column 7, Lines 21-34 for the site database).

Wu also discloses that the Hub generating program generates a Hub page by populating an HTML document with the information (see Column 9, Lines 33-40 for creating a matching Web page based on the user's profile).

Referring to claim 12, Wu discloses sending the Hub page to the set-top box (see Column 9, Lines 37-40 for sending the link of the matching web page to the client, which comprises a set-top box (see Column 5, Lines 56-58)).

Referring to claims 13-14, see the rejection of claims 4-5, respectively.

Referring to claim 19, see the rejection of claim 9.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-8, 15 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. (U.S. Patent No. 6,326,982) in view of Mighdoll et al. (U.S. Patent No. 6,332,157).

Referring to claim 6, Wu discloses all of the limitations in claim 1, as well as querying a database to obtain a matching web page based upon a user profile (see Column 9, Lines 33-40).

Wu fails to disclose accessing a plurality of databases to obtain the plurality of links based on a user profile. Mighdoll discloses querying a plurality of databases (remote servers 4) to obtain a plurality of links (see Column 7, Lines 11-12 for a web page containing multiple links) based upon a user profile (see Column 14, Lines 57-63 for also providing a user database 62 similar to Wu's databases (Figures 3-8) that is used to dictate which links are permitted to be presented to a user). Also note Figure 1 for WebTV server accessing remote servers 4 through Internet 3 and Column 9, Lines 12-16 for retrieving a document that had not been previously requested.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the database used to provide links to content, as taught by Wu, using a plurality of remote databases accessible over the Internet used to provide links to content, as taught by Mighdoll, for the purpose of updating a web page (such as a web page that includes weather data) that requires frequent updates in order to provide up-to-date information (see Column 12, Lines 24-25 of Mighdoll).

Claim 7 corresponds to claim 6, where Wu discloses that a database is accessed via the Internet (see client system 12 contacting the user database in server 34 through Internet 22). The examiner notes that claim 1 and 6 both disclose the use a user database in claim 1 and databases in claim 6, therefore when claim 7 refers to "at least one of the databases", the examiner is interpreting "at least one of the databases" to be the user database disclosed by Wu in the rejection of claim 1, which is accessed through Internet 22. Mighdoll also discloses that one of the remote databases can be accessed over the Internet as well (see Figure 1).

Claim 8 corresponds to claim 6, where Mighdoll discloses at least one of the databases are updated via periodic contact with a remote server accessed via the Internet (see Column 12, Lines 18-61 for periodically updating cache 65 with an updated web page from a remote server 4 and Figure 1 to show that WebTV server 5 retrieves the updated web page document from remote server 4 over Internet 3). Also note that the WebTV server 5 includes the cache 65 used to store the updated data (see Figure 4A and Column 5, Lines 60-62).

Referring to claim 15, see the rejection of claim 6 for a web page containing multiple links to content based upon a user profile (see Column 7, Lines 11-12 and Column 14, Lines 57-63 of Mighdoll).

Referring to claim 17, see the rejection of claim 6 for Mighdoll teaching a remote database (remote server 4 in Figure 1) wherein the remote database is accessed via the Internet (remote server 4 accessed by WebTV server 5 through Internet 3 in Figure 1), and wherein the Hub generating program generates a query of the remote database for information associated with the user profile (see Column 14, Lines 57-63 for accessing web pages specified by a user profile and Column 6, Lines 43-46 for accessing a web site from a remote server 4 if the data stored in the document database 61 in WebTV server 5 is no longer valid). Therefore, if a request for a web page is made, authorized by the user profile and determined to be invalid, the remote server 4 will be accessed to provide the web site.

Referring to claim 18, see the rejection of claim 8.

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4. Claims 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. (U.S. Patent No. 6,326,982) in view of Rosin et al. (U.S. Patent No. 6,397,387).

Referring to claim 16, Wu discloses all of the limitations in claim 11, as well as creating a hub page based on a user profile (see the rejection of claim 11), but fails to teach that the hub page comprises a template selected from a plurality of available templates based upon the user profile, and wherein the template is populated with links determined from the user profile.

Rosin discloses providing hub pages with links to Internet content (see Column 5, Lines 61-65). Rosin continues to disclose that the links are classified into categories or topics within templates that can be stored at the server (see Column 6, Lines 1-4). Rosin also discloses that the templates can be tailored according to specific user profiles (see Column 6, Lines 61-62). Once the templates are determined the content of the web pages can be determined according to the templates (see Column 6, Lines 35-37, thereby having a selected template (from a plurality of templates, which are populated based upon a user profile) determine the content included in a particular hub page).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the created hub page, as taught by Wu, using the hub page template, as taught by Rosin, for the purpose of providing text, images, sound, and video on-demand in a simple, intuitive manner akin to traditional television programming for mass-market consumers (see Column 2, Lines 37-40 of Rosin).

Referring to claim 20, Wu discloses all of the limitations in claim 11, as well as creating a hub page (see rejection of claim 1), but fails to disclose that the information includes a default hub page template selected from a Home page template, sports page template, news page template and children's page template.

Rosin discloses templates that can be used in order to dictate the information (content) of the web pages (see Column 6, Lines 1-4 and Lines 35-37). Rosin also discloses that the template can be a sports template as well as a news template (see Column 6, Lines 30-31). Rosin also discloses that the templates can be determined by a user profile that is used to provide preselected web links in a predetermined set of categories (see Column 6, Lines 61-65, thereby presenting a default hub page template, where the default hub page template is one that provides, "a particular setting or value for a variable that is assigned automatically by an operating system and remains in effect unless canceled or overridden by the operator" (see www.dictionary.com for a definition of "default")). Therefore, until the web links are later updated based upon a user's activity (see Column 7, Lines 1-3), then the preselected web links presented to a user are inherently default web links determined by a user's profile.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the created hub page, as taught by Wu, using the default hub sports page template, as taught by Rosin, for the purpose of providing text, images, sound, and video on-demand in a simple, intuitive manner akin to traditional television programming for mass-market consumers (see Column 2, Lines 37-40 of Rosin).

5. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. (U.S. Patent No. 6,326,982) in view of Mighdoll et al. (U.S. Patent No. 6,332,157) in further view of Rosin et al. (U.S. Patent No. 6,397,387).

Referring to claim 21, Wu discloses means for receiving an HTTP request from the set-top box (see Column 10, Lines 1-5 for sending user ID, time and channel parameters in order to retrieve a startup web page (see Column 2, Lines 20-22)), receiving a request for the startup page (see Column 10, Lines 1-5 for sending user ID, time and channel parameters in order to retrieve a startup web page (see Column 2, Lines 20-22), and that the request for the startup page from a set-top box is received from a web browser program residing on the set-top box (see Column 5, Lines 5-7 and Lines 57-59).

Wu also discloses a user database storing a user profile (see Figure 7 and Column 7, Lines 22-24 for storing a user profile 160), that a user profile comprises location information (see Figure 3 for a user profile 110 comprising shipping address information 118 and also Figure 7 for a user profile 160 comprising layout information 164), and that the user profile comprises programming preferences of the user (see specific user interest profile 148 in user profile 160 of Figure 7).

Wu also discloses a Hub generating program that receives the HTTP request and generates a query of the user database to retrieve the user profile from the user database (see Column 10, Lines 22-25 for accessing various types of user profiles for determining a matching web page). The examiner notes that profile 144 in Figure 5

contains both a user ID and user interests, therefore profile 144 corresponds to a user in a user database (see Column 6, Lines 66-67 for storing the profile 144 at the server). The examiner also notes at Column 3, Lines 7-10 discloses that the server can execute the process of determining the matching Web address; therefore the hub-generating program would inherently reside at the server 34 in Figure 1 executed by a processor in order for the process to be executed.

Wu also discloses that the Hub generating program generates a Hub page by populating an HTML document with the information (see Column 9, Lines 33-40 for creating a matching Web page based on the user's profile).

Wu also discloses sending the Hub page to the set-top box (see Column 9, Lines 37-40 for sending the link of the matching web page to the client, which comprises a set-top box (see Column 5, Lines 56-58)).

Wu fails to disclose the hub-generating program generating a query of a plurality of databases for information associated with the user profile, the information comprising links to content.

Mighdoll discloses querying a plurality of databases (remote servers 4) to obtain a plurality of links (see Column 7, Lines 11-12 for a web page containing multiple links) based upon a user profile (see Column 14, Lines 57-63 for also providing a user database 62 similar to Wu's databases (Figures 3-8) that is used to dictate which links are permitted to be presented to a user). Also note Figure 1 for WebTV server

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accessing remote servers 4 through Internet 3 and Column 9, Lines 12-16 for retrieving a document that had not been previously requested.

Wu also fails to disclose that the plurality of databases comprising at least one remote database wherein the remote database is accessed via the Internet, and a site database that is updated via periodic contact via with a remote server accessed via the Internet.

Mighdoll also discloses at least one of the databases (cache 65 in WebTV server 5 in Figure 4A) is updated via periodic contact with a remote server accessed via the Internet (see Column 12, Lines 18-61 for periodically updating cache 65 with an updated web page from a remote server 4 and Figure 1 to show that WebTV server 5 retrieves the updated web page document from remote server 4 over Internet 3).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the database used to provide links to content, as taught by Wu, using a plurality of remote databases accessible over the Internet used to provide links to content, as taught by Mighdoll, for the purpose of updating a web page (such as a web page that includes weather data) that requires frequent updates in order to provide up-to-date information (see Column 12, Lines 24-25 of Mighdoll).

Wu and Mighdoll both fail to disclose a default hub page template that is selected from a Home page template, a sports page template, a news page template and a children's page template.

Rosin discloses templates that can be used in order to dictate the information (content) of the web pages (see Column 6, Lines 1-4 and Lines 35-37). Rosin also discloses that the template can be a sports template as well as a news template (see Column 6, Lines 30-31). Rosin also discloses that the templates can be determined by a user profile that is used to provide preselected web links in a predetermined set of categories (see Column 6, Lines 61-65, thereby presenting a default hub page template, where the default hub page template is one that provides, "a particular setting or value for a variable that is assigned automatically by an operating system and remains in effect unless canceled or overridden by the operator" (see www.dictionary.com for a definition of "default")). Therefore, until the web links are later updated based upon a user's activity (see Column 7, Lines 1-3), then the preselected web links presented to a user are inherently default web links determined by a user's profile.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the created hub page, as taught by Wu and Mighdoll, using the default hub sports page template, as taught by Rosin, for the purpose of providing text, images, sound, and video on-demand in a simple, intuitive manner akin to traditional television programming for mass-market consumers (see Column 2, Lines 37-40 of Rosin).

Conclusion

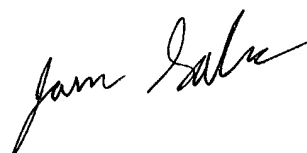
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P Salce whose telephone number is (703) 305-1824.

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The examiner can normally be reached on M-Th 8am-6pm (every other Friday off). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 15, 2004

A handwritten signature in black ink, appearing to read "James Salvo", is written in a cursive style.